

**Certification and Permits Division Staff Report**  
New Minor Waste Tire Storage Facility Permit for B & B Tire and Rubber Company  
TPID No. 1002464  
May 12, 2011

**Background Information, Analysis, and Findings:**

This report was developed in response to an application received from the operator of B & B Tire and Rubber Company located in the City of West Sacramento for a Minor Waste Tire Storage Facility Permit. The facility has been operating a used tire dealer business at its current location for over 30 years. Used tires are stored in stacks that are arranged by tire size in rows. Tires that have no resale value are stored outside in a fully enclosed movable container, an enclosed trailer, and in tarped loosely-stacked piles until transported offsite by a registered waste tire hauler.

B & B Tire and Rubber Company's Minor Waste Tire Storage Facility Permit expired on August 18, 2010. Staff of the Permits and Certification Division, Permitting and Assistance Branch received the application for a Minor Waste Tire Facility Permit August 25, 2010, which had numerous deficiencies. A letter rejecting the application was sent on September 7, 2010, and staff worked with the operator to complete a new application package. The operator submitted another application November 23, 2010, which was accepted as complete and correct on November 29, 2010. Pursuant to 14 CCR, §18425, CalRecycle has 180 calendar days from the date the application is accepted as complete and then either issue or deny the issuance of a WTFP. CalRecycle is required to act by May 27, 2011.

**Findings**

Staff recommends approval of the issuance of the proposed permit. All of the required submittals and findings required by Title 14, §18431 have been met to support concurrence. The findings required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based are permanently maintained in the facility files maintained by the Permits and Certification Division.

The following table summarizes the staff's findings relative to the permit application:

	Findings	
California Environmental Quality Act (CEQA)	Staff of the Permitting and Assistance Branch found that the issuance of the Minor Waste Tire Storage Facility Permit is exempt from the requirements of CEQA (see below for details)	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Compliance with Tire Storage Standards, 14 CCR, Sections 17350-17356	CalRecycle Waste Evaluation and Enforcement Branch (WEEB) staff conducted a Pre-Permit Inspection on May 10, 2011. See additional compliance information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR, Sections 18431(a) (b) (c) (d)	All application forms were accepted by Permitting and Assistance Branch staff as complete on November 29, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Local Requirements 14 CCR, Section 18431(h)	<p><i>Local Vector Control:</i> The Sacramento-Yolo Mosquito and Vector Control District's acceptance of vector control practices was signed by Mr. Marty Scholl, Ecological Management Supervisor, on October 1, 2010.</p> <p><i>Local Fire Authority:</i> On July 6, 2010, the West Sacramento Fire Department (WSFD) issued all required Fire Permits to B &amp; B Tire and Rubber Company in West Sacramento.</p>	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office	??, 2011	
Waste Evaluation and Enforcement Branch	??, 2011	

### **Compliance History:**

CalRecycle requested a facility inspection because B & B was operating with an expired permit. On September 9, 2010, Bahram Kavousi, Yolo County Grantee performed an inspection of the facility. During this inspection, B & B Tire and Rubber Company was issued two violations as follows:

September 9, 2010 Violations	Grantee Inspection Report Notes
PRC § 42834 – Minor Waste Tire Facility Permit	Operating with an expired permit
Title 14, CCR § 17354(h) – Storage of Waste Tires Outdoors	Protection from Pyrolytic Oil Runoff

The Grantee also noted the facility was storing waste tires in an unsafe manner, and approximately 3,000 waste tires were on the premises.

Mr. Kavousi performed a “Compliance Deadline” follow-up inspection on October 27, 2010 and found the following two violations:

October 27, 2010 Violations	Grantee Inspection Report Notes
PRC § 42834- Minor Waste Tire Facility Permit	Facility operating a minor waste tire facility without a permit
Title 14 CCR § 17353(a) – Vector Control	Water accumulation inside tires stored outdoors

The Grantee noted that there were approximately 2,300 waste tires located throughout the facility (indoors and outdoors). Of the 2,300 tires, approximately 1,560 tires stored indoors were counted as waste tires rather than “resale tires” because the “resale tires” were being improperly stacked, per PRC § 42806.5. Since the site is permitted to store waste tires outdoors only, the operator stated that he would properly stack the tires in order to comply with storage requirements.

The facility was re-inspected by Mr. Kavousi on January 5, 2011 and the following violations were noted:

January 5, 2011 Violations	Grantee Inspection Report Notes
PRC § 42834 – Minor Waste Tire Permit	Facility operating a minor waste tire facility without a permit
Title 14 CCR § 17353(a) – Vector Control	Water accumulation was noted inside many of the tires stored outdoors
§17354 – Storage of Waste Tires Outdoors(b)(g)	Fire lanes; rim removal

The inspection report notes that at the time of inspection approximately 1,860 waste tires were being stored indoors and approximately 1,050 waste tires were stored outdoors, for a total of 2,910 waste tires.

B & B was issued a Cleanup and Abatement Order March 16, 2011, which required the facility to reduce the number of waste tires on the premises to no more than 1,500 tires within 30 days from the date of service of the Cleanup Order.

Another inspection was conducted by the Yolo County Grantee on May 10, 2011. No violations were noted and all previous violations had been corrected. The facility reduced the number of waste tires on site to approximately 800.

#### **Environmental Analysis:**

This facility has been in operation prior to January 1, 1991 and has undergone no substantial changes in design or operation. Therefore, staff has determined that permitting this facility does not require a CEQA analysis, pursuant to PRC 42812.

#### **Local Issues**

Staff has not identified any local issues related to this item. No environmental justice issues were identified by the surrounding community. According to the year 2000 Census data, tract 102.03 in Yolo County has a total population of 5,370 people. 79.5% of the people are white, 1.1 % are black, 0.8% are American Indian, 5.3% are Asian, 0.4 are Native Hawaiian, and 12.9% some other race. 17.3% of the population is identified as Hispanic or Latino. The median household income of the area is \$57,989 and 13.3% live below the poverty level. Therefore, staff finds the project and permit process to be consistent with Government Code § 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended in this item.

#### **Public Comments**

No public comments have been received by Department staff. The Department has provided an opportunity for public comment during the Department of Resources Recycling and Recovery Monthly Public Meeting on May 17, 2011.

Attachment: Minor Waste Tire Facility Permit

